APPENDIX "A"

Sec. 696. Lack of Diligence in Prosecuting or Defending Appeal.

If a party shall fail to prosecute an appeal or writ of error with proper diligence, this court may, on motion by any other party to the appeal or writ of error, or of its own motion, dismiss the appeal or writ of error with costs. If a party shall fail to defend against an appeal or writ of error with proper diligence, this court may, on motion by any other party to the appeal or writ of error, or of its own motion, set aside in whole or in part the judgment under attack, with costs, and direct the entry of an appropriate final judgment by the trial court against the party guilty of the failure. If that party is a defendant in the action, the directed judgment may be in the nature of a judgment by default for such amount as may, upon a hearing in damages, be found to be due. If that party is a plaintiff in the action, the directed judgment may be one dismissing the action as to him, and said judgment shall operate as an adjudication upon the merits. The statutory provisions regarding the opening of judgments of nonsuit and by default shall not apply to a judgment directed under the provisions of this rule. (1963 Connecticut Practice Book.)

APPENDIX "B"

SUPREME COURT

Fairfield County

No. 6031

November 1, 1966

—o—

Paul Daddona et al.

v.

Zoning Board of Appeals of the
City of Stamford

—o—

Order Dismissing Appeal

It appearing that the plaintiffs in the above-entitled case have failed to prosecute their appeal from the Court of Common Pleas in Fairfield County at Stamford with proper diligence, it is, under Practice Book § 696,

Ordered by the Supreme Court, suo motu, that the appeal be and hereby is dismissed.

By the Court,
King
Chief Justice